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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,843	04/21/2004	James A. Perkins	56527.C1/ C-3670.0	5307
408	7590	07/16/2008	EXAMINER	
LUEDEKA, NEELY & GRAHAM, P.C. P O BOX 1871 KNOXVILLE, TN 37901				ART UNIT
				PAPER NUMBER

DATE MAILED: 07/16/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/828,843	PERKINS ET AL.
	Examiner /Robert James Popovics/	Art Unit 1797
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -- <p>The amendment document filed on <u>May 5, 2008</u> is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.</p> <p>THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:</p> <p> <input checked="" type="checkbox"/> 1. Amendments to the specification: <ul style="list-style-type: none"> <input type="checkbox"/> A. Amended paragraph(s) do not include markings. <input type="checkbox"/> B. New paragraph(s) should not be underlined. <input type="checkbox"/> C. Other _____. </p> <p> <input type="checkbox"/> 2. Abstract: <ul style="list-style-type: none"> <input type="checkbox"/> A. Not presented on a separate sheet. 37 CFR 1.72. <input type="checkbox"/> B. Other _____. </p> <p> <input type="checkbox"/> 3. Amendments to the drawings: <ul style="list-style-type: none"> <input type="checkbox"/> A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d). <input type="checkbox"/> B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required. <input type="checkbox"/> C. Other _____. </p> <p> <input checked="" type="checkbox"/> 4. Amendments to the claims: <ul style="list-style-type: none"> <input type="checkbox"/> A. A complete listing of all of the claims is not present. <input type="checkbox"/> B. The listing of claims does not include the text of all pending claims (including withdrawn claims). <input checked="" type="checkbox"/> C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended). See claim(s): <u>Claim 8 includes underlining, yet is indicated as "Previously Presented."</u> <input type="checkbox"/> D. The claims of this amendment paper have not been presented in ascending numerical order. <input type="checkbox"/> E. The amendments to the claims are not properly illustrated (i.e., additions shown using underlining; deletions shown using strikethrough; double brackets "[[12345]]" may only be used to show deletions of five or fewer consecutive characters). See claim(s): _____. <input type="checkbox"/> F. A canceled claim may only be reinstated by presenting it as a new claim with a new claim number. </p> <p>For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognnotice/officeflyer.pdf.</p> <p>TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:</p> <ol style="list-style-type: none"> 1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action. 2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a <i>Quayle</i> action. <p>Extensions of time are available under 37 CFR 1.136(a) <u>only</u> if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action.</p> <p style="text-align: right;">/R. Popovics/ R. Popovics</p> <p>Failure to timely respond to this notice will result in:</p> <p style="text-align: right;">Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a <i>Quayle</i> action; or</p> <p style="text-align: right;">Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.</p>		